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Report of the Secretary-General on developments in Guinea-Bissau, including efforts towards the restoration of constitutional order, and on the activities of the United Nations Integrated Peacebuilding Office in that country

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2092 (2013), by which the Council extended the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) for three months until 31 May 2013 and requested me to provide an assessment of the situation in Guinea-Bissau and to make recommendations with regard to the Mission's mandate and a possible readjustment of the support of the United Nations, taking into account the scope of the challenges and the recommendations of the joint assessment mission dispatched to Guinea-Bissau by the African Union, the Community of Portuguese-speaking Countries (CPLP), the Economic Community of West African States (ECOWAS), the European Union and the United Nations.

2. The present report focuses on developments since my previous report of 28 February 2013 (S/2013/123) and includes an assessment of the situation in Guinea-Bissau and recommendations on adjustments to the UNIOGBIS mandate, structure and strength and on the support provided by the United Nations system in the country. It also includes an update on the implementation of Security Council resolution 2048 (2012), as authorized by the Council in a letter dated 19 March 2013 from the President of the Council to me.

II. Major developments in Guinea-Bissau

A. Political developments, including national, subregional, regional and international efforts towards the restoration of constitutional order

3. The overall political situation in the country remained tense owing to continuing disagreements among political stakeholders over the transitional arrangements and the transitional road map for the restoration of constitutional order.

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4. On 13 February, the Party for Social Renewal proposed the creation of a multiparty and social transition commission, which would allow all legally recognized political parties, including non-parliamentary parties, to be fully involved in the decision-making process on national issues, including the State budget and the nomination of the Prime Minister and the President of the National Electoral Commission. The majority parliamentary party, the African Party for the Independence of Guinea and Cape Verde (PAIGC), the Speaker of the parliament, Ibraima Sori Djaló, and 10 civil society organizations, including the Guinea-Bissau Human Rights League, opposed the proposal on the basis that it would supplant the work of the parliament.

5. On 25 February, the Speaker suggested that the parliament should consider passing a motion of no confidence in the Transitional Government if the latter persisted in ignoring its request to submit its programme and State budget for parliamentary scrutiny. On 26 February, the Chief of General Staff of the armed forces, Antonio Indjai, and other military leaders held a closed-door meeting with the Speaker, following which they announced that the meeting had been convened as a result of their concern over the potential repercussions of differences between the parliament and the Transitional Government. On 27 February, the Speaker reiterated that he would not back down from his request to the Transitional Government.

6. Following its forty-second ordinary session, held on 27 and 28 February, in Yamoussoukro, Côte d'Ivoire, the Authority of Heads of State and Government of ECOWAS decided to extend the transitional period in Guinea-Bissau until 31 December 2013. It also encouraged the Transitional President, Serifo Nhamadjo, to propose a technically feasible draft revised transitional road map to the National Assembly for the preparation and conduct of free, fair and transparent general elections before the end of 2013. It called upon the National Assembly to adopt the said draft road map as soon as possible.

7. On 4 March, the Transitional President met his advisers to outline plans for drafting a new political agenda to clarify the period of, and programme for, the extended transition. He recommended the establishment of a political supervision commission composed of national actors and international partners to monitor the implementation of his political agenda. On 14 March, he publicly expressed frustration that political parties were pursuing their own political agendas and warned that he would resign if political actors continued to have divergences over the transition.

8. On 7 March, the parliamentary commission established to review the political transition pact and the political agreement signed in May 2012 submitted a draft regime pact to the Parliamentary Bureau for circulation to all signatories to the transitional instruments for feedback and consultation. The draft regime pact proposed that the transition should be extended to 31 December 2013, that an amnesty for the military personnel involved in the coup d'état of 12 April 2012 should be adopted as stated in the political agreement of May 2012 and that the fundamental rights of all citizens should be fully respected. It also proposed the creation of a consultative dialogue committee, to be chaired by the Speaker, whose members would be the signatories to the political transition pact. It further proposed that the majority parliamentary party, PAIGC, would nominate a prime minister who would then be appointed by the Transitional President. It included a provision, also

contained in the political transition pact, banning the Transitional President and the Prime Minister from running in the next legislative and presidential elections.

9. On 10 March, the Minister of Territorial Administration and the head of the Technical Election Support Office informed UNIOGBIS that an international company fulfilling all relevant criteria had been identified to carry out biometric voter registration. They indicated, however, that the process had come to a halt owing to, among other things, the fact that no decision had been taken by the National Assembly on the date for elections. On 4 April, the Executive Secretary of the National Electoral Commission explained to UNIOGBIS that two Commission technicians had been sent to Côte d'Ivoire for training on biometric voter registration and new information technology. He also confirmed that the boundary delimitation exercise had restarted following the disbursement by the Transitional Government of CFAF 47 million ($93,000) to cover the cartographers' salary arrears.

10. At a press conference on 14 March, 15 civil society organizations, including leading national non-governmental organizations and social sector trade unions, presented a civil society road map for the political transition. They stressed that the focus of the transition should be on creating conditions for the holding of general elections by November 2013 and on ensuring social, economic and political stabilization. They also proposed that only critical aspects of key reforms should be launched during the transition, as opposed to comprehensive State reforms that would require a minimum of three to five years for implementation. They suggested that an electoral road map should be developed, which would provide for the United Nations having a key role in organizing or supervising the elections and the National Electoral Commission having the responsibility to manage the technical aspects of the elections. The electoral road map should also contain proposals to amend the electoral legislation to allow domestic election observation and the signing of a transitional fair play memorandum by political and military leaders.

11. The second ordinary parliamentary session, which began on 15 February, ended on 15 March without the election of the President of the National Electoral Commission or discussion on the draft regime pact. A meeting convened by the Speaker on 2 April with all signatories to the political transition pact to discuss the draft regime pact was indefinitely postponed without explanation. On the same day, 24 of the 27 members of the Forum of Political Parties held consultations on the transition. Later, the leader of the Republican Party for Independence and Development, António Afonso Té, said that the Forum had deemed unrealistic the demands by the international community that elections be held by the end of 2013. He suggested that the polls should ideally take place in 2014. He also accused what he referred to as "a part of PAIGC and the parliament" of being an obstacle to the "normal course" of the transition, which he claimed was running "smoothly".

12. The Peace and Security Council of the African Union, at its 361st meeting, held on 22 March in Addis Ababa, welcomed the findings of the assessment mission dispatched to Guinea-Bissau from 16 to 21 December 2012 under the auspices of the African Union, ECOWAS, CPLP, the European Union and the United Nations. Among other things, it urged the five organizations to continue to coordinate efforts to facilitate the resolution of the crisis in Guinea-Bissau, Guinea-Bissau stakeholders to persevere in efforts to restore constitutional order and the Transitional President to accelerate the elaboration of the transitional road map for

adoption by the People's Assembly, "bearing in mind the need to hold the elections that will mark the full restoration of constitutional order by 31 December 2013". Furthermore, it encouraged the Parliamentary Commission to expedite the finalization of the regime pact to make the transition process as inclusive as possible. Lastly, it appealed to the international community to extend the necessary support to facilitate the completion of the process of restoring constitutional order through the organization of transparent and credible elections and the implementation of the envisaged comprehensive reforms.

13. The Transitional President visited Nigeria on 20 March to discuss the situation in Guinea-Bissau with the President, Goodluck Jonathan, who also chairs the ECOWAS regional contact and follow-up group on Guinea-Bissau. On 25 March, the Presidency announced that, owing to what it termed a "routine medical check-up", the Transitional President would extend his absence from the country. On 4 April, national radio stations broadcast a telephone call in which the Transitional President, who was receiving medical treatment in Germany, reassured the country that he was well and would soon be released from hospital. He returned to the country on 28 April.

B. Security situation

14. The security situation in the country is generally calm, albeit volatile. On the night of 3 April, the population in Bissau became uneasy following an increased military presence and activity in Bissau, in addition to the erection of barricades around the armed forces General Staff headquarters. On 4 April, the Chief of General Staff downplayed the concerns, informing the press that there "was nothing abnormal in the barracks". Instead, he claimed that there was a campaign within and outside Guinea-Bissau to create instability in the country.

C. Drug trafficking and organized crime

15. On 5 April, the Department of Justice of the United States of America issued a press release in which it stated that the former Navy Chief of Staff, Bubo Na Tchuto, who had earlier been designated as a drug kingpin by the Government of the United States, and two other Guinea-Bissau nationals had been arrested by United States anti-narcotics agents in international waters near Cape Verde on 2 April. It further indicated that two other nationals had also been apprehended in a separate operation in a West African country. It advised that Bubo Na Tchuto and the two nationals arrested at the same time had been charged with conspiring to distribute 5 kg or more of cocaine, knowing or intending to import the cocaine into the United States. The charge carries a maximum potential sentence of life imprisonment. On 5 April, the spokesperson of the Transitional Government announced publicly that the Transitional Government would defend Bubo Na Tchuto as it would any other citizen. At a press conference held on 22 April, the Minister of Communications stated that Bubo Na Tchuto had been "taken" in Guinea-Bissau waters and "kidnapped" by United States federal agents.

16. On 18 April, the United States Department of Justice issued a press release in which it announced the unsealing of charges against the Chief of General Staff of the armed forces, Antonio Indjai, for conspiring to provide aid to the Fuerzas

Armadas Revolucionarias de Colombia, a South American paramilitary group designated by the United States as a foreign terrorist organization, by storing cocaine owned by the group in West Africa; conspiring to sell weapons, including surface-to-air missiles, to be used to protect the group's cocaine processing operations in Colombia against United States military forces; and conspiring to import narcotics into the United States. The indictment, filed in the United States District Court for the Southern District of New York, carries a maximum potential sentence of life imprisonment.

D. Human rights situation

17. The trial of the 17 detainees (16 members of the military and 1 civilian), who were arrested in connection with the alleged attack against the Bissalanca air force base in October 2012, began in the Bissau Regional Military Court on 12 March. The suspects were accused of attempting to overthrow constitutional order, treason and perpetrating an armed attack against fortified premises. While 16 of the defendants denied any participation in the alleged crimes, the alleged ringleader, Pansau N'Tchama, admitted his participation in the attack, which he said was part of a coup attempt planned and headed by the former Chief of General Staff, Zamora Induta, who had been overthrown in a mutiny on 1 April 2010. He argued, however, that he had been forced to take part in the attack to protect himself.

18. The lawyers for the accused raised a number of procedural irregularities, including the constitutionality of the charges and the jurisdictional competency of the Bissau Regional Military Court. The prosecutor acknowledged the lack of proof against 11 of the defendants. While he recommended that charges against five of them should be dropped immediately, however, he declined to drop the charges against the remaining six. He also accepted the explanation put forward by Pansau N'Tchama that he had participated in the alleged attack to mitigate its impact, lauding him as a hero for allegedly preventing a coup d'état and further bloodshed and recommending that the judges show leniency when passing sentence. Three of the detainees alleged that they had been tortured while in detention.

19. Meanwhile, in a communiqué dated 20 March, the journalists' union complained about a decision by the Transitional Government to suspend State media from covering the campaigns of candidates for the leadership of PAIGC. The union accused the Transitional Government of interfering in the State media and mounting an attack on the freedom of the press and the right to information. It added that journalists had recently been subjected to intimidation for broaching issues seen as sensitive in some political, judicial and military circles. It warned that the freedom of the press was being threatened in Guinea-Bissau, calling upon the State to set in motion mechanisms for protecting journalists.

E. Social, economic and humanitarian situation

20. In the 2013 Human Development Report, released in April 2013, Guinea-Bissau was ranked 176 of 187 countries in terms of health, education and income indicators. During the period under review, the financial constraints faced by the Transitional Government continued to worsen, the budgetary support received from ECOWAS and the West African Economic and Monetary Union notwithstanding.

Since the start of 2013, the Transitional Government has received $3 million each from ECOWAS and the West African Economic and Monetary Union and $2 million from Nigeria. In December 2012, it secured bank loans from commercial banks to meet some of its obligations.

21. From 13 to 19 February, the International Monetary Fund (IMF) fielded its first staff visit since the military coup, following a favourable vote by the IMF Executive Board to resume the country's monitoring programme. In consultations with the national authorities and the National Institute of Statistics, IMF indicated that Guinea-Bissau had experienced an economic recession in 2012. It forecast that the gross domestic product would grow to approximately 4.2 per cent in 2013, provided that cashew production, cashew prices and agricultural production increased.

22. After a period of relative stability in December 2012 and January 2013, strikes disrupted several social sectors, including education, finance, health, justice, customs and telecommunications. The strikes were, in general, called by the trade unions to demand better working conditions and payments of long-standing subsidies. On 10 March, the strike led by public schoolteachers, which began on 18 February, officially ended. To date, 54 school days, or 30 per cent of the school year, have been lost.

III. Inter-agency technical assessment mission

23. Pursuant to Security Council resolution 2092 (2013), I dispatched an inter-agency technical assessment mission to Guinea-Bissau from 18 to 27 March 2013 to make recommendations on possible adjustments to the UNIOGBIS mandate, structure and strength and, more generally, to the support provided by the United Nations to the country.

24. My Special Representative for Guinea-Bissau, José Ramos-Horta, led the mission, which comprised representatives of the Department of Political Affairs, the Department of Peacekeeping Operations, the Department of Field Support, the Office of the United Nations High Commissioner for Human Rights, the Peacebuilding Support Office, the United Nations Development Programme (UNDP) (also representing the United Nations Development Group), the United Nations Office on Drugs and Crime (UNODC), the Department for Safety and Security, UNIOGBIS and the United Nations country team in Guinea-Bissau.

25. The mission held wide-ranging consultations with national and international stakeholders, including the Transitional President, the Transitional Prime Minister, members of the Transitional Government, political parties, members of the National Assembly and the Parliamentary Commission, the military leadership, the police leadership, representatives of ECOWAS and the ECOWAS Mission in Guinea-Bissau, the African Union, the European Union and Member States represented in Guinea-Bissau. The mission also met women's organizations, religious leaders and civil society, including youth organizations. It visited the model police station in Bairro Militar in Bissau, the UNIOGBIS regional office in Mansôa and the João Landim police training centre.

A. Main findings

26. Following the military coup of April 2012, constitutional order has still not been restored in Guinea-Bissau, the continuing efforts of UNIOGBIS and subregional, regional and international partners to help to resolve the crisis notwithstanding. The mission ascertained, however, that most national and international stakeholders shared the view that forming an inclusive transitional government to prepare for national elections was a priority. There was also an emerging consensus that an environment conducive to the holding of transparent and credible elections needed to be created to ensure progress in that regard.

27. Nevertheless, national actors continue to be divided on what constitutes such an environment and on whether to set up a post-electoral power-sharing arrangement. Some have called for elections to take place by the end of 2013, while others demand that key reforms in the defence, security, justice, public administration and electoral sectors be initiated before the elections to ensure post-election stability. The military leadership does not object to holding elections by 31 December 2013, provided that there is agreement among the political parties on reforms relating to the defence and security forces. In its view, such reforms should be initiated before, and continued after, the elections.

28. Some national actors in favour of holding the elections by the end of 2013 believe that only an elected government will have the legitimacy required to carry out reforms. They have called upon the United Nations to support the electoral process and to maintain pressure on the Transitional Government and its allies to conduct free, fair, transparent and peaceful elections. Furthermore, they have called for the appointment of the President of the National Electoral Commission in order to advance the electoral process, including in conducting biometric voter registration as a matter of priority.

29. According to representatives of the National Electoral Commission, the polls can be organized in 2013, provided that the President of the Commission is appointed, a date for the elections is set on time and financial resources are made available. They have appealed to the United Nations to provide financial and technical support to help to ensure transparent elections, stressing that the management of the electoral process, in particular in the pre-electoral and post-electoral periods, is critical.

30. The Minister of Territorial Administration stated that technical preparations had begun, including the tender for the biometric registration system. He informed the mission that an interministerial commission was coordinating the completion of the electoral mapping operations. He emphasized, however, that voter registration, which would take at least four months to complete for the estimated 800,000 voters, could not begin until a political decision had been made on issues such as amending the electoral legislation to register voters outside the prescribed months and on the election date.

31. International partners, including regional and subregional organizations, are also in favour of holding the elections by the end of 2013. The States members of the European Union noted their commitment to continuing to support the people of Guinea-Bissau and to resuming full cooperation once a legitimate government was in place. Some expressed their readiness to provide financial assistance for the organization of elections as soon as the date had been set.

32. The human rights situation was one of the main concerns raised by the mission's interlocutors. Some international partners were strong advocates of human rights remaining a central pillar of the United Nations engagement and of impunity being addressed. They recommended that steps should be taken to mitigate the climate of fear resulting from restrictions on freedom of expression and freedom of assembly. That recommendation was echoed by several national partners who advocated action to protect witnesses in order to ensure due process.

1. Status of implementation of the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau

(i) *Supporting an inclusive political dialogue and national reconciliation process; enhancing cooperation with regional and international partners in their efforts to contribute to the stabilization of Guinea-Bissau; and helping in the mobilization of international assistance*

33. Immediately following his arrival in Guinea-Bissau on 13 February, my Special Representative embarked on intensive consultations with national stakeholders, including the de facto authorities, political parties, the military and civil society. He encouraged them, in the interest of the country and its people, to strive to develop a common vision of a broader transition aimed not only at restoring constitutional order with the holding of elections, but also at building consensus on a post-election inclusive political framework during which a core reform and State-building agenda would be pursued.

34. He also held intensive consultations with international bilateral and multilateral partners of Guinea-Bissau. He visited Abuja from 24 to 27 February, during which he met the President of Nigeria. He attended the forty-second ordinary session of the Authority of Heads of State and Government of ECOWAS on 27 and 28 February, during which he addressed a closed-door session on his views on the transition and the situation in Guinea-Bissau. From 4 to 8 March, he held consultations with the European Union, CPLP and the Government of Portugal. In Brussels, he met the President of the European Commission, José Manuel Barroso, and the European Commissioner for Development, Andris Piebalgs, in addition to ambassadors of the States members of CPLP. In Lisbon, he met the President, Aníbal António Cavaco Silva, the Prime Minister, Pedro Passos Coelho, and the Executive Secretary of CPLP, Murade Isaac Miguigy Murargy. In all those meetings, he emphasized the need for the international community to assist in providing for the basic needs of the population while continuing efforts to find solutions to the political and security situation.

35. In a move towards the harmonization of international positions on Guinea-Bissau, my Special Representative chaired two successive meetings with the African Union, the European Union, ECOWAS and CPLP, on 25 and 28 March in Bissau. The participants discussed how best to speed up the implementation of the recommendations of the joint assessment mission. On 5 April, the participants issued a joint press statement in which they expressed their support for the deployment of a second joint international mission to the country once national stakeholders had agreed on a new regime pact and an inclusive government had been formed.

36. Between 7 and 20 April, my Special Representative visited Cape Verde, the Gambia, Mozambique and Senegal. In all those countries, he met the Presidents and

other national officials. While in Cape Verde, he also held consultations with the Minister for Foreign Affairs of Brazil. His discussions with those interlocutors suggested an evolving convergence of views on the international approach towards the restoration of constitutional order in Guinea-Bissau.

37. Those efforts notwithstanding, the lack of commitment and political will among political parties, interference by the military in political affairs and the weakness of State institutions continued to prevent sustainable political and security stability in the country.

(ii) Supporting national authorities in reforming the defence, security and justice sectors, including coordination efforts, and strengthening national capacity in order to maintain constitutional order, public security and full respect for the rule of law

38. UNIOGBIS continued to provide technical support to the permanent secretariat of the national security sector reform steering committee, in addition to the ministries of defence, the interior and justice, through co-located UNIOGBIS security sector reform experts. It also provided support to the Ministry of Defence in planning the launch of the operations of the National Defence Institute, which is aimed at fostering civil-military relations and civilian oversight of the armed forces. In addition, the Mission worked with the Office of the United Nations High Commissioner for Human Rights in support of the vetting and certification process for internal security, law enforcement and armed forces personnel.

39. From 24 February to 4 March, an expert from the Justice and Corrections Standing Capacity, based in Brindisi, Italy, undertook an assessment of the corrections system in Guinea-Bissau, with a view to identifying priority areas for potential assistance. Several constraints were identified, notably the system's non-compliance with international standards. National counterparts requested the support of the United Nations in the establishment of an effective penitentiary system. The expert recommended that UNIOGBIS should engage with national authorities in promoting the development of a reformed penitentiary system as part of a holistic approach to strengthening the rule of law and security institutions. To that end, the expert also recommended the establishment and staffing of a penitentiary component in the Mission to be aligned with the UNIOGBIS judiciary reform activities.

40. The lack of political will and financial resources to address challenging reform issues, in addition to weak national absorption capacity, hampered the ability of the Mission to fully support the implementation of national security sector reform/rule of law plans. The suspension or withdrawal of international assistance as a result of the coup of April 2012 has further complicated the work of the Mission.

(iii) Assisting national authorities to combat drug trafficking and organized crime and human trafficking, especially child trafficking

41. UNIOGBIS and UNODC have provided strategic and technical advice to the Judiciary Police, the Public Order Police and the National Central Bureau of the International Criminal Police Organization through co-location at their respective headquarters. They have also provided advice to the Transnational Crime Unit within the context of the West Africa Coast Initiative, in support of the ECOWAS Regional Action Plan to Address the Growing Problem of Illicit Drug Trafficking, Organized Crime and Drug Abuse in West Africa. Both entities also assisted the

national authorities with the development of a national plan to combat transnational organized crime and drug trafficking.

42. Although UNODC downsized its office and activities in Guinea-Bissau in January 2013 owing to a lack of donor funding, it continued to provide limited support to criminal investigations institutions on a case-by-case basis. UNODC also worked with UNIOGBIS to provide capacity-building support to the Judiciary Police through on-the-job training and mentoring. On 9 April, the UNODC presence in Guinea-Bissau ended because the contract of the remaining substantive staff could not be renewed owing to lack of funding. This situation limits the assistance that the United Nations can provide to the authorities to combat drug trafficking and organized crime.

(iv) Undertaking human rights promotion, protection and monitoring activities and supporting the institutionalization of respect for the rule of law

43. With the support of other United Nations entities, non-governmental organizations and Member States, UNIOGBIS has assisted the national authorities with the implementation of key areas of recommendations made by the Working Group on the Universal Periodic Review in 2010. Consequently, two laws to criminalize female genital mutilation and human trafficking were adopted, the statute of the National Human Rights Commission revised and the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination both ratified.

44. UNIOGBIS pursued regular monitoring visits to prisons and detention centres and monitoring missions to the regions to gather information and intervene in reported cases of human rights violations. The Mission has monitored the status of investigations into serious crimes, observed the trials of political prisoners and advocated respect for human rights, due process and the rule of law by the authorities. The Mission's full access to prisoners and detainees has resulted in the release of several arbitrarily detained prisoners. These activities have also provided entry points for the Mission to identify capacity needs and make specific recommendations to the authorities.

45. The capacity of Guinea-Bissau to promote human rights and ensure minimum access to basic social services, including in national institutions, such as the legislature, the judiciary and the security forces, and civil society organizations, has remained weak. Access to justice, in particular, is undermined by the insufficiency and degradation of State infrastructure, accessibility issues, the inadequate legislative framework and the population's lack of confidence in judicial and law enforcement officials. There is also a lack of awareness among the population and law enforcement officials of international human rights standards and national legislation. Consequently, many crimes are not reported, investigated or prosecuted.

46. With regard to serious crimes, the continued interference by the military and the political elite in the justice system, the threats made against judicial actors, victims and witnesses by perpetrators of crimes and the tendency towards victor's justice have fostered a culture of impunity, which emboldens the zero-sum approach to political power with no fear of consequences.

(v) Mainstreaming a gender perspective into peacebuilding in line with Security Council resolutions 1325 (2000) and 1820 (2008)

47. UNIOGBIS advocated the adoption of the draft law on domestic violence, to which the United Nations had provided technical support. Gender was mainstreamed in the development of the second national poverty reduction strategy paper and the national gender policy through wide consultation with the Government and civil society. The Mission produced a manual on women's political participation and training of women from political parties, trade unions, journalists and women's civil society organizations. It also conducted research into women's political participation to identify how best to enhance participation at all levels of decision-making processes.

48. The assessment mission noted that women had limited access to education, health, inheritance and possession of land and property and rarely participated in national decision-making processes. It found that sexual and gender-based violence and traditional harmful practices, including female genital mutilation/cutting and child marriage, continued and that there was limited capacity in women's organizations and relevant government institutions to address those issues.

(vi) Supporting national efforts to curb the proliferation of small arms and light weapons

49. UNIOGBIS assisted UNDP in the implementation of a national strategy to eliminate small arms and light weapons and a community violence reduction plan. In particular, the Mission worked with the armed forces and police, youth groups, volunteers and specialized non-governmental organizations in support of national programmes for the collection of illegal weapons, which were later destroyed. The assessment mission ascertained that the key actions envisaged by the Mission in the implementation of the task had been completed.

(vii) Assisting the Peacebuilding Commission in its work in addressing critical peacebuilding needs in Guinea-Bissau

50. Since Guinea-Bissau was placed on the agenda of the Peacebuilding Commission in December 2007, UNIOGBIS has supported the work and engagement of the Commission in the country through policy and strategic guidance. The work of the Commission was, however, negatively affected after the coup of April 2012 because the Commission had no legitimate national counterpart with which to interact.

2. Activities of the Peacebuilding Fund

51. In the aftermath of the coup of April 2012, the Peacebuilding Fund froze its funding, in line with similar decisions taken by international financial institutions and some bilateral and multilateral donors. While the implementation of the Fund's portfolio remained suspended during the reporting period, the United Nations system, following an analysis of the key drivers of instability in December 2012, recommended that the Peacebuilding Support Office, in conjunction with my Special Representative, should reassess whether the conditions for Fund reengagement had been met.

3. Status of the activities of the United Nations country team

52. The assistance provided by the United Nations country team is reflected in the United Nations Framework for Peace and Development in Guinea-Bissau and is aligned with the Framework's four outcome areas: governance; economic growth and poverty reduction; social protection and human development; and security sector reform and rule of law.

53. The assessment mission observed that the fragility and volatility of the political and security climate in Guinea-Bissau had hampered the provision of assistance by the United Nations system in the country. Resource constraints, including international donor support, had also been a factor in slowing the work of the country team, in particular in supporting long-term institutional reforms. In particular, the country team had had to focus on priority humanitarian activities and on providing assistance in the health and nutrition, education, water, sanitation and protection sectors, as opposed to longer-term socioeconomic and development activities. The technical support and leveraging role played by the country team with the Global Fund to Fight AIDS, Tuberculosis and Malaria notwithstanding, HIV/AIDS remained a major challenge, with the country registering the highest prevalence in the region.

B. Recommendations of the assessment mission

1. Adjustments to the Mission

54. The overall vision of the United Nations system in Guinea-Bissau is to contribute to the establishment of a stable political, security, social and economic environment, conducive to peace consolidation and the full realization of human rights and the rule of law. In doing so, it is important that the United Nations system and subregional, regional and international partners work together to support a responsible, legitimate and effective State, operating under the rule of law and able to provide security, essential services and economic opportunities to its people. This could be achieved through a two-phase process for the full restoration of constitutional order in the country and medium-term stability. The first phase, which would end once the presidential and legislative elections have been conducted, should aim at the restoration of constitutional order and focus on creating a political environment built on confidence and non-interference in the electoral process. The second phase, which would conclude at the end of the term of the next elected government, should focus on post-election stability, the strengthening of State and societal institutions central to democratic governance, notably security, justice and defence, and the functioning of both central and local State structures.

(i) Mandate

55. It is recommended that UNIOGBIS focus its efforts mainly on providing strategic guidance and advice and technical support to national and international stakeholders on issues relating to political and civil affairs, rule of law and security, human rights, gender and public information, while leaving the implementation and management of programmes to the United Nations country team.

56. Taking into account the assessment provided above, it is recommended that the mandate of UNIOGBIS be revised so that it is:

(a) To support an inclusive political dialogue and national reconciliation process to facilitate the return to constitutional order;

(b) To create an environment conducive to the organization and conduct of transparent and credible elections;

(c) To strengthen democratic institutions and enhance the capacity of State organs to function effectively and constitutionally;

(d) To provide strategic and technical advice and support for the establishment of effective and efficient law enforcement and criminal justice and penitentiary systems, capable of maintaining public security and combating impunity while respecting human rights and fundamental freedoms;

(e) To provide strategic and technical advice and support to national authorities and relevant stakeholders, including ECOWAS and its mission in Guinea-Bissau, in implementing the national security sector reform and rule of law strategies and developing a military justice system that is compliant with international standards;

(f) To assist national authorities to combat drug trafficking and transnational organized crime;

(g) To undertake human rights promotion, protection, monitoring and reporting activities;

(h) To mainstream a gender perspective into peacebuilding, in line with Security Council resolutions 1325 (2000) and 1820 (2008);

(i) To work with the Peacebuilding Commission in support of the peacebuilding priorities of Guinea-Bissau;

(j) To help in the mobilization, harmonization and coordination of international assistance, including for the implementation of the national security sector reform and rule of law strategies, and to enhance cooperation with the African Union, ECOWAS, CPLP, the European Union and other partners in support of the restoration and maintenance of constitutional order in, and the stabilization of, Guinea-Bissau.

57. It is also recommended that the UNIOGBIS mandate no longer include the provision of support to national efforts to curb the proliferation of small arms and light weapons, given that a national strategy to combat such proliferation has already been developed and implemented with the support of UNDP. In addition, the current reference to assisting national authorities to combat human and child trafficking in the Mission's mandate should be removed, given that, with the adoption of a law on human trafficking in 2011, a legislative framework is now in place. The Mission and the United Nations agencies should now ensure that the implementation of the law is monitored and supported. Lastly, UNODC should support the establishment and functioning of a panel of experts that could be set up by the Security Council to actively combat drug trafficking networks and facilitate the adoption of targeted sanctions against drug traffickers and their accomplices.

(ii) Structure and strength

58. The current structure of UNIOGBIS should be adjusted to ensure greater efficiency and effectiveness in the implementation of its mandate. I therefore

propose the establishment of a political pillar, headed by a second Deputy Special Representative at the D-2 level, to address peace and security priorities. The political pillar would comprise four thematic sections: political and civil affairs; rule of law and security institutions; human rights; and public information. The Mission's regional presence, which would be enhanced from two to four field offices, would also report to the new Deputy Special Representative, who would assist my Special Representative in the day-to-day management of the Mission, focusing on strategic issues in the respective subject areas. The establishment of this pillar would allow my Special Representative to focus on diplomatic good offices and resource mobilization efforts.

59. The Deputy Special Representative, Resident Coordinator and UNDP Resident Representative would continue to head the developmental pillar of the United Nations integrated efforts in Guinea-Bissau and report to my Special Representative in his or her capacity as Deputy Head of UNIOGBIS while keeping his or her reporting lines to the Chair of the United Nations Development Group and the Administrator of UNDP, respectively.

60. To further integrate and create synergies between the development and political pillars, my Special Representative would continue to chair the senior policy group that sets the direction for the outcome groups of the United Nations Framework for Peace and Development in Guinea-Bissau, which are all being supported by the Strategic Planning Unit. To strengthen the links between roles and responsibilities at the level of joint programming and delivery, the outcome groups would also operate with the support of the Unit. They would optimize information exchange and collaboration between the United Nations country team and the substantive efforts of the Mission under the guidance of the Special Representative.

61. Staff restructuring would be required in the various components of the Mission. Given the continuing budget reduction in accordance with the decision of the General Assembly to reduce the budget of each special political mission for 2014, however, the additional staff requirements would be met within existing resources. These requirements include the establishment of eight posts of National Professional Officer to contribute to building national capacity and to strengthen the substantive components of the Mission and field offices. In addition, four advisers, on defence, internal security and law enforcement, rule of law and public State institutions, would be recruited through the government-provided personnel modality.

62. Given the urgent need for United Nations expertise in the field of drug trafficking and transnational organized crime to be located in the country, it is strongly recommended that support be provided to ensure the continued presence of UNODC in Guinea-Bissau.

2. Adjustments to the integrated approach to the Peacebuilding Commission and Peacebuilding Fund in Guinea-Bissau

63. Once an electoral calendar is announced and a road map approved by the National Assembly, the Peacebuilding Support Office and UNIOGBIS should work to reconstitute or reactivate the joint steering committee to review the Peacebuilding Fund portfolio in the light of the evolving situation in the country, taking full account of the report of the technical assessment mission.

3. Adjustments to the activities of the United Nations country team

64. The United Nations country team should enhance and scale up its support for local governance, rule of law, legislative authorities and public administration, in addition to gender and employment generation programming, in close coordination with UNIOGBIS.

65. UNIOGBIS and UNDP, in close collaboration and coordination with the United Nations country team, should develop a joint programme in the areas of justice, police and corrections to complement each other's comparative advantages under the arrangements of the global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations.

66. Lastly, to support the Government in the delivery of basic social services and enhance the capacity of local structures, the United Nations country team should increase its field presence in critical areas of the country.

IV. Observations

67. While the challenges in Guinea-Bissau appear overwhelming in view of the weakness of the State and the persistently critical socioeconomic indicators, the country has not degenerated into an open conflict. At the same time, the country's abundant natural resources could constitute a good basis for socioeconomic development. Turning this promise into a reality in a way that benefits the entire population would, however, be possible only if there is political stability and security. Such stability will require the genuine commitment of all national stakeholders to changing the cyclical political-military conflict in the pursuit of individual interests. It also requires the commitment of international partners to working with national actors to achieve a long-term vision of peace, security and development. To that effect, clear commitments to a return to constitutional order need to be made by the de facto authorities.

68. While there has been some progress in the dialogue process between the Parliamentary Commission and other national stakeholders on the finalization of the regime pact, I am concerned that the differences on the length of the transition and what needs to be done have still not narrowed. There appears to be consensus among national stakeholders that elections are not an end in themselves. In addition, all appear to agree that the current political process should be an opportunity for sustainable solutions to the social, economic, political and military problems, which would entail building the State through the pursuit of essential reforms in the medium to longer term, including in the political and defence sectors. I strongly urge national stakeholders to build on this shared vision.

69. The continuing political process should be seen from a wider perspective and should consist of two phases. The first, which would end with the elections, should lay the groundwork for a four-year second phase devoted to the implementation of key reforms. That groundwork would require agreement on a post-election regime and a reform agenda, following broad and inclusive consultations with all national stakeholders, in addition to genuine commitment and goodwill. I therefore call upon all national stakeholders to work in good faith towards a new regime pact and a consensual transitional road map that should include a well-defined electoral calendar and the formation of an inclusive transitional government. The United

Nations remains committed to supporting national efforts towards achieving consensus on the transitional road map and, once elected authorities are in place, towards implementing a medium-term reform programme in the interests of all citizens of Guinea-Bissau.

70. The country has been afflicted by strikes that highlight problems symptomatic of the need for deep reforms and a revitalized economy. The children of Guinea-Bissau, who have lost 30 per cent of their classes during the current school year, are an unfortunate example of the high cost of continuing socioeconomic problems. The country needs international recognition through elections if it is to fully reengage with its international partners and mobilize substantial support for urgent reforms and economic revival.

71. The impact of transnational organized crime and drug trafficking on peace, stability and development efforts in Guinea-Bissau must remain a focus. Effective counter-measures must be seen from an international and regional perspective, requiring a commensurate partnership with countries of origin, transit (including Guinea-Bissau) and destination. Should the Security Council establish a panel of experts to actively combat drug trafficking networks and facilitate the adoption of targeted sanctions against traffickers and their accomplices, UNODC stands ready to make available its expertise to assist in the establishment and functioning of the panel. In that regard, I appeal to international partners to support a UNODC presence in the country to develop its nascent national capacity-building efforts so that it can play its part within the wider framework of the West Africa Coast Initiative.

72. For the United Nations to be able to provide critical support to Guinea-Bissau in the pre-electoral and post-electoral periods, I recommend that the current mandate of UNIOGBIS be revised as proposed in paragraphs 55 to 57 of the present report and extended for a period of 12 months until 31 May 2014, which will allow the Mission to provide further strategic support to national authorities in cooperation with relevant international partners. I also recommend that the Council approve the recommendations contained in paragraphs 58 to 66 of the present report.

73. In conclusion, I wish to express my appreciation to the staff of UNIOGBIS, under the leadership of my Special Representative, José Ramos-Horta, and the entire United Nations country team, in addition to members of the broader international community and national and international non-governmental organizations, for their contribution to peacebuilding in Guinea-Bissau.